

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LATAVIOUS BEAL #327749,

Plaintiff,

Case No. 1:21-cv-522

v.

Hon. Hala Y. Jarbou

HEIDI WASHINGTON, et al.,

Defendants.

---

**ORDER**

On October 18, 2022, Magistrate Judge Sally J. Berens issued a Report and Recommendation (R&R, ECF No. 50) recommending that the Court grant Defendants' Motion for Summary Judgment (ECF No. 44) on the grounds that Plaintiff failed to exhaust his administrative remedies prior to filing this action as required by the PLRA and dismiss Beal's claims against Defendants without prejudice. The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so expired on November 15, 2022. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

**IT IS ORDERED** that the R&R (ECF No. 50) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' motion for summary judgment (ECF No. 44) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Court declines to certify that an appeal would not be in good faith.

A judgment will enter in accordance with this order.

Dated: November 20, 2022

/s/ Hala Y. Jarbou

HALA Y. JARBOU  
CHIEF UNITED STATES DISTRICT JUDGE